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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/675,852 | 09/30/2003 | Jacqueline E. Heard | MBI-0022CIP | 1145 |

47550 7590 12/27/2007
MENDEL BIOTECHNOLOGY C/O MOFO SF
425 MARKET STREET
SAN FRANCISCO, CA 94105

EXAMINER

KRUSE, DAVID H

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| ART UNIT | PAPER NUMBER |
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1638

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| MAIL DATE | DELIVERY MODE |
|-----------|---------------|

12/27/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|
| 10675852 | 9/30/03 | HEARD ET AL. | MBI-0022CIP |

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425 MARKET STREET
SAN FRANCISCO, CA 94105

EXAMINER

David H. Kruse

| ART UNIT | PAPER |
|----------|----------|
| 1638 | 20071221 |

DATE MAILED:

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Commissioner for Patents

The reply filed on 18 September 2007 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicants have not complied with the Sequence Rules as required in the previous Office action (page 5, item 8), page 25, line 11 contains amino acid sequences but do not have a sequence identifier. Applicants' argument on page 9 of the Remarks is not found to be relevant because the Sequence Rules clearly state if a amino acid sequence of four or more amino acids is disclosed in the specification then it requires a sequence identifier. See 37 CFR 1.821. In addition, Applicants' corrected drawing submission fails to comply with 37 CFR 1.121(d)(2), no marked up copy was submitted. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David H. Kruse, Ph.D. whose telephone number is (571) 272-0799. The examiner can normally be reached on Monday to Friday from 8:00 a.m. to 4:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anne Marie Grunberg can be reached at (571) 272-0975. The central FAX number for official correspondence is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group Receptionist whose telephone number is (571) 272-1600.

David H. Kruse, Ph.D.
21 December 2007

DAVID H. KRUSE, PH.D.
PRIMARY EXAMINER

David H Kruse
Primary Examiner
Art Unit: 1638